

The House Committee on Judiciary offers the following substitute to SB 130:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions regarding property, so as to provide that churches shall be exempt from the provisions regulating the removal and storage of vehicles from private real property; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions regarding property, is amended by striking subsection (a) of Code Section 44-1-13, relating to removal of improperly parked cars or trespassing personal property, and inserting in its place the following:

"(a) Any person or his or her authorized agent entitled to the possession of any parcel or space of private real property, hereinafter referred to as 'private property,' shall have the right to remove or cause to be removed from the property any vehicle or trespassing personal property thereon which is not authorized to be at the place where it is found and to store or cause to be stored such vehicle or trespassing personal property, provided that there shall have been conspicuously posted on the private real property notice that any vehicle or trespassing personal property which is not authorized to be at the place where it is found may be removed at the expense of the owner of the vehicle or trespassing personal property. Such notice shall also include information as to the location where the vehicle or personal property can be recovered, the cost of said recovery, and information as to the form of payment; provided, however, that the owner of private residential property containing not more than four residential units or the owners of places of religious worship, as defined in paragraph (2.1) of subsection (a) of Code Section 48-5-41, including churches, synagogues, mosques, and temples, shall not be required to comply with the posting requirements of this subsection. Only towing and storage firms issued permits or licenses by the local governing authority of the jurisdiction in which they operate, ~~or~~ by the

1 Department of Motor Vehicle Safety, or by an appropriate state agency, and having a
2 secure impoundment facility, shall be permitted to remove trespassing property and
3 trespassing personal property at the request of the owner or authorized agent of the private
4 property."

5 **SECTION 2.**

6 All laws and parts of laws in conflict with this Act are repealed.